

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

UNITED STATES OF AMERICA)	
)	
v.)	PROTECTIVE ORDER
)	
DARREN K. PHILLIPS)	CRIMINAL NO. 5:12-CR-00340
)	
Defendant.)	

**ORDER PROVIDING FOR DISCLOSURE AND
PROTECTION OF GRAND JURY DOCUMENTS
AND OTHER DISCOVERY MATERIALS**

The United States' Motion for an Order Providing for Disclosure and Protection of Grand Jury Documents and Other Discovery Materials is hereby GRANTED.

Accordingly, it is hereby ORDERED that:

(1) The attorneys for the United States may disclose to counsel for the defendant grand jury documents and other discovery materials pursuant to (a) the Jencks Act, 18 U.S.C. § 3500, (b) Rules 16 and 26.2 of the Federal Rules of Criminal Procedure, (c) *Brady v. Maryland*, 373 U.S. 83 (1963) and its progeny, (d) applicable local rules of the United States District Court for the Eastern District of North Carolina and (e) any discovery order issued by this Court;

(2) Except as permitted by Federal Rule of Criminal Procedure 6(e), this

Order, or any other court order, counsel for the defendant shall not disclose any grand jury documents or other discovery materials to any other person except that, for the sole purpose of preparing for testimony at a judicial proceeding and sentencing:

- a. defense counsel may show the defendant any grand jury documents produced by the United States; and
- b. defense counsel may allow secretaries, clerical workers, paralegals, experts, investigators or others retained for this case to view grand jury documents, solely for the purpose of assisting defense counsel with preparation for testimony at a judicial proceeding and sentencing in this matter.

(3) Any note or memorandum that defense counsel, their secretaries, clerical workers, paralegals, investigators, or experts may make summarizing any grand jury documents or other discovery materials shall be treated as if it were grand jury material for purposes of paragraphs 2 and 3 above;

(4) All grand jury documents or other discovery materials disclosed pursuant to paragraphs 1 and 2 of this Order and all copies thereof shall either be promptly destroyed or returned to the United States after this case is disposed of by final, non-appealable judgment;

(5) Any person receiving grand jury documents or other discovery materials from defense counsel for this matter shall be bound by the same obligations as counsel as dictated in this Order;

(6) Nothing contained herein shall restrict or prevent defense counsel from offering any grand jury documents or other discovery materials into evidence or citing or attaching any materials in court papers filed in this case (provided such materials are filed under seal); and

(7) The parties may apply to the court for a modification of this Order at any time.

DATED this 29th day of April, 2014.


United States District Judge